



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/689,721	08/12/96	PERRY	A

ANDREW M PERRY
2041 STATE STREET
SALEM OR 97301

F1M1/0624

EXAMINER LUEBKE, R

ART UNIT 3105	PAPER NUMBER
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DATE MAILED:

06/24/97

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/689,721

Applicant(s)
Perry

Examiner
Renee S. Luebke

Group Art Unit
3105



☒ Responsive to communication(s) filed on Jun 2, 1997

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 1 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). ~~Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).~~

Disposition of Claims

☐ Claim(s) _____ is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☐ Claim(s) _____ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

1. The amendment filed June 2, 1997 has not been entered. It is not fully and properly responsive to the Office action dated April 15, 1997 because:

a. it is unsigned. The amendment must be signed separately from the certificate of mailing.

b. it lacks any remarks. Applicant should submit an argument under the heading "Remarks" pointing out disagreements with the examiner's contentions. Applicant must discuss the references applied against the amended or new claims, explaining how the new claims avoid the references or distinguish from them.

c. the amendments to the claims are improper. The amendments to the claims should be made in accordance with 37 CFR 1.121(b) which states:

(b) . . . a particular claim may be amended only by directions to cancel or by rewriting such claim with underlining below the word or words added and brackets around the word or words deleted. The rewriting of a claim in this form will be construed as directing the cancellation of the original claim; however, the original claim number followed by the parenthetical word "amended" must be used for the rewritten claim. If a previously rewritten claim is rewritten, underlining and bracketing will be applied in reference to the previously rewritten claim with the parenthetical expression "twice amended," "three times amended," etc., following the original claim number.

d. the substitute specification is improper because it does not conform to MPEP §608.01(q), which requires the submission of a marked-up copy which shows additions to and/or deletions from the original specification.

e. the substitute specification also has not been entered because it does not conform to the portion of MPEP §608.01(q) which requires applicant to submit a statement that the substitute specification includes no new matter and that it includes the same changes as are indicated in the marked-up copy of the original specification showing additions and/or deletions. Such statement must be a verified statement if made by a person not registered to practice before the Office.

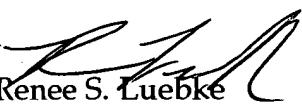
2. Applicant is given a ONE MONTH TIME LIMIT from the date of this letter, or until the expiration of the period for response set in the last Office action, whichever is longer,

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to complete the response. NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER EITHER 37 CFR 1.136(a) OR (b).

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mrs. Renee Luebke at (703) 308-1511.


Renee S. Luebke
Primary Patent Examiner
June 23, 1997